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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/641,769	08/14/2003	Haimian Cai	10541-1781	2806
7590	12/16/2005		EXAMINER	
MacMillan, Sobansky & Todd, LLC One Maritime Plaza, 4th Floor 720 Water Street Toledo, OH 43604-1619			DUNN, DAVID R	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/641,769	CAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	David Dunn	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 September 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) 2,3,5,8-13,16,17 and 19 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,4,6,7,14,15 and 18 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/14/03</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed October 19, 2005 is acknowledged. See enclosed IDS form.

### ***Election/Restrictions***

2. Applicant's election without traverse of Species I in the reply filed on November 29, 2005 is acknowledged.
3. Claims 2, 3, 5, 8-13, 16, 17, and 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on November 29, 2005.

### ***Claim Objections***

4. Claim 4 is objected to because of the following informalities: in claim 4, line 1, "in" should be changed to --is--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 1, 4, 6, 7, 14, 15, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is indefinite as it recites a stabilizer bar (see preamble) comprising an end link having a support surface supported on and secured to “said stabilizer bar”. This is unclear as the end link is part of the stabilizer bar yet being claimed in relation to the stabilizer bar. Therefore, the end link cannot be said to be supported on or secured to the stabilizer bar if the end link is part of the stabilizer bar. It appears that the recitations of “said stabilizer bar” throughout the claim should be changed to --the body--.

*Claim Rejections - 35 USC § 102*

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Kraps (5,876,148).

Kraps discloses a stabilizer bar comprising: a body (1); an end link (3; see Figure 2) having a bore (3a) on which the stabilizer bar body is supported by a spherical bearing (8); the first end of the end link is secured to the stabilizer bar (by the bearing and boot 9). The boot 9 frictionally engages the outer surface of the stabilizer bar.

9. Claims 1, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hynds (5,064,216).

Hynds discloses a stabilizer bar comprising: a body (54); an end link (10) with a spherical bearing (24) the second end of the end link to connect to the suspension (44; see Figure 4); the first end of the end link being secured to the stabilizer bar (by 28, 30; see Figure 2). The bearing is formed of a polymeric material (see column 2, lines 41-45). The bearing mechanically engages an outer surface of the stabilizer bar.

#### *Claim Rejections - 35 USC § 103*

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds in view of Joerg et al. (6,257,602).

Hynds is discussed above but fails to show a lock washer.

Joerg et al. teaches a lock washer (4) used to frictionally engage the outer surface of a body.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hynds with the teachings of Joerg et al. to provide a lock washer on the stabilizer body between the end link and the end of the stabilizer bar to securely fasten the end link to the bar.

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12. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds in view of Wolf et al. (6,363,613).

Hynds is discussed above but fails to show securing the bearing with an adhesive.

Wolf et al. teaches a stabilizer bar (13) with a bearing (9) secured to the bar with an adhesive (12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hynds with the teachings of Wolf et al. to provide an adhesive to better secure the bearing to the stabilizer bar.

### *Conclusion*

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stuker et al. shows a stabilizer link of interest. Hynds et al. shows a stabilizer bar of interest.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Dunn  
Primary Examiner  
Art Unit 3616